

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S8385–S8478

Measures Introduced: Eleven bills and two resolutions were introduced, as follows: S. 1316–1326, and S. Res. 181–182. **Pages S8438–39**

Measures Reported:

S. 312, to amend title XXI of the Social Security Act to extend the availability of allotments for fiscal years 1998 through 2001 under the State Children's Health Insurance Program. (S. Rept. No. 108–78)

Page S8438

Prescription Drug and Medicare Improvement Act: Senate continued consideration of S. 1, to amend title XVIII of the Social Security Act to make improvements in the medicare program, to provide prescription drug coverage under the medicare program, taking action on the following amendments proposed thereto: **Pages S8386–S8426, S8429–31**

Adopted:

Bingaman Modified Amendment No. 984, to require the Medicare Payment Advisory Commission to conduct a study regarding disproportionate share hospital payments under the Medicare program.

Page S8396

By 93 yeas to 3 nays (Vote No. 237), Dayton Amendment No. 957, to provide that prescription drug benefits for any Member of Congress who is enrolled in a health benefits plan under chapter 89 of title 5, United States Code, may not exceed the level of prescription drug benefits passed in the 1st session of the 108th Congress. **Page S8408**

Rejected:

Rockefeller Amendment No. 976, to treat costs for covered drugs as incurred costs without regard to whether the individual or another person, including a State program or other third-party coverage, has paid for such costs. (By 52 yeas to 43 nays (Vote No. 233), Senate tabled the amendment.)

Pages S8393, S8394–96

Baucus (for Dodd) Amendment No. 969, to permit continuous open enrollment and disenrollment in Medicare Prescription Drug plans and Medicare

Advantage plans until 2008. (By 55 yeas to 42 nays (Vote No. 234), Senate tabled the amendment.)

Pages S8401–03

Pryor Amendment No. 981, to provide equal access to competitive global prescription medicine prices for American purchasers. (By 66 yeas to 31 nays (Vote No. 235), Senate tabled the amendment.)

Page S8403

Boxer/Mikulski Amendment No. 1001, to eliminate the coverage gap. (By 54 yeas to 42 nays (Vote No. 236), Senate tabled the amendment.)

Pages S8386–90, S8392–93, S8403–04

Lincoln Amendment No. 1002, to allow Medicare beneficiaries who are enrolled in fallback plans to remain in such plans for two years by requiring the same contracting cycle for fallback plans as Medicare Prescription Drug plans. (By 51 yeas to 45 nays (Vote No. 238), Senate tabled the amendment.)

Pages S8390–92, S8393–94, S8408–09

By 41 yeas to 54 nays (Vote No. 239), Lautenberg Amendment No. 982, to make prescription drug coverage available beginning on July 1, 2004.

Pages S8405–10

By 41 yeas to 54 nays (Vote No. 240), Baucus (for Dodd) Amendment No. 970, to provide 50 percent cost-sharing for a beneficiary whose income is at least 160 percent but not more than 250 percent of the poverty line after the beneficiary has reached the initial coverage gap and before the beneficiary has reached the annual out-of-pocket limit.

Pages S8412–14

By 41 yeas to 55 yeas (Vote No. 241), Dodd Amendment No. 998, to modify the amount of the direct subsidy to be provided to qualified retiree prescription drug plans.

Pages S8410–12, S8414–15

Pending:

Graham (FL) Amendment No. 956, to provide that an eligible beneficiary is not responsible for paying the applicable percent of the monthly national average premium while the beneficiary is in the coverage gap and to sunset the bill. **Page S8386**

Kerry Amendment No. 958, to increase the availability of discounted prescription drugs. **Page S8386**

Lincoln Modified Amendment No. 934, to ensure coverage for syringes for the administration of insulin, and necessary medical supplies associated with the administration of insulin. **Page S8386**

Lincoln Amendment No. 935, to clarify the intent of Congress regarding an exception to the initial residency period for geriatric residency or fellowship programs. **Page S8386**

Lincoln Amendment No. 959, to establish a demonstration project for direct access to physical therapy services under the Medicare program. **Page S8386**

Baucus (for Jeffords) Amendment No. 964, to include coverage for tobacco cessation products. **Page S8386**

Baucus (for Jeffords) Amendment No. 965, to establish a Council for Technology and Innovation. **Page S8386**

Nelson (FL) Amendment No. 938, to provide for a study and report on the propagation of concierge care. **Page S8386**

Nelson (FL) Amendment No. 936, to provide for an extension of the demonstration for ESRD managed care. **Page S8386**

Baucus (for Harkin) Amendment No. 967, to provide improved payment for certain mammography services. **Page S8386**

Baucus (for Harkin) Amendment No. 968, to restore reimbursement for total body orthotic management for nonambulatory, severely disabled nursing home residents. **Page S8386**

Baucus (for Cantwell) Amendment No. 942, to prohibit an eligible entity offering a Medicare Prescription Drug plan, a MedicareAdvantage Organization offering a MedicareAdvantage plan, and other health plans from contracting with a pharmacy benefit manager (PBM) unless the PBM satisfies certain requirements. **Page S8386**

Rockefeller Amendment No. 975, to make all Medicare beneficiaries eligible for Medicare prescription drug coverage. **Page S8386**

Akaka Amendment No. 980, to expand assistance with coverage for legal immigrants under the Medicaid program and SCHIP to include citizens of the Freely Associated States. **Page S8386**

Akaka Amendment No. 979, to ensure that current prescription drug benefits to Medicare-eligible enrollees in the Federal Employees Health Benefits Program will not be diminished. **Page S8386**

Bingaman Amendment No. 972, to provide reimbursement for Federally qualified health centers participating in medicare managed care. **Page S8386**

Bingaman Amendment No. 973, to amend title XVIII of the Social Security Act to provide for the authorization of reimbursement for all Medicare part B services furnished by certain Indian hospitals and clinics. **Page S8386**

Baucus (for Edwards) Modified Amendment No. 985, to strengthen protections for consumers against misleading direct-to-consumer drug advertising. **Pages S8386, S8423–24**

Baucus (for Lautenberg) Amendment No. 986, to make prescription drug coverage available beginning on July 1, 2004. **Page S8386**

Murray Amendment No. 990, to make improvements in the MedicareAdvantage benchmark determinations. **Page S8386**

Harkin Amendment No. 991, to establish a demonstration project under the Medicaid program to encourage the provision of community-based services to individuals with disabilities. **Page S8386**

Dayton Amendment No. 960, to require a streamlining of the Medicare regulations. **Page S8386**

Dayton Amendment No. 977, to require that benefits be made available under part D on January 1, 2004. **Page S8386**

Baucus (for Stabenow) Amendment No. 992, to clarify that the Medicaid statute does not prohibit a State from entering into drug rebate agreements in order to make outpatient prescription drugs accessible and affordable for residents of the State who are not otherwise eligible for medical assistance under the Medicaid program. **Page S8386**

Baucus (for Dorgan) Amendment No. 993, to amend title XVIII of the Social Security Act to provide for coverage of cardiovascular screening tests under the Medicare program. **Page S8386**

Grassley Amendment No. 974, to enhance competition for prescription drugs by increasing the ability of the Department of Justice and Federal Trade Commission to enforce existing antitrust laws regarding brand name drugs and generic drugs. **Page S8386, S8430–31**

Durbin Amendment No. 994, to deliver a meaningful benefit and lower prescription drug prices. **Page S8386**

Smith/Bingaman Amendment No. 962, to provide reimbursement for Federally qualified health centers participating in Medicare managed care. **Pages S8396–S8400**

Hutchison Amendment No. 1004, to amend title XVIII of the Social Security Act to freeze the indirect medical education adjustment percentage under the Medicare program at 6.5 percent. **Pages S8400–01**

Sessions Amendment No. 1011, to express the sense of the Senate that the Committee on Finance should hold hearings regarding permitting States to provide health benefits to legal immigrants under Medicaid and SCHIP as part of the reauthorization of the temporary assistance for needy families program. **Pages S8404–05, S8424–26**

Sununu Amendment No. 1010, to improve outpatient vision services under part B of the Medicare program. **Page S8407**

Conrad Amendment No. 1019, to provide for coverage of self-injected biologicals under part B of the Medicare program until Medicare Prescription Drug plans are available. **Pages S8415, S8417–18**

Conrad Amendment No. 1020, to permanently and fully equalize the standardized payment rate beginning in fiscal year 2004. **Pages S8415–16, S8417**

Conrad Amendment No. 1021, to address Medicare payment inequities. **Pages S8416–17**

Clinton Amendment No. 1000, to study the comparative effectiveness and safety of important Medicare covered drugs to ensure that consumers can make meaningful comparisons about the quality and efficacy. **Pages S8418–21, S8422–23**

Clinton Amendment No. 999, to provide for the development of quality indicators for the priority areas of the Institute of Medicine, for the standardization of quality indicators for Federal agencies, and for the establishment of a demonstration program for the reporting of health care quality data at the community level. **Pages S8418–19**

Clinton Amendment No. 953, to provide training to long-term care ombudsman. **Pages S8421–22**

Clinton Amendment No. 954, to require the Secretary of Health and Human Services to develop literacy standards for informational materials, particularly drug information. **Page S8422**

Reid (for Boxer) Amendment No. 1036, to eliminate the coverage gap for individuals with cancer. **Page S8424**

Reid (for Corzine) Amendment No. 1037, to permit Medicare beneficiaries to use Federally qualified health centers to fill their prescriptions. **Page S8424**

Reid (for Jeffords) Amendment No. 1038, to improve the critical access hospital program. **Page S8424**

Reid (for Inouye) Amendment No. 1039, to amend title XIX of the Social Security Act to provide 100 percent reimbursement for medical assistance provided to a Native Hawaiian through a Federally-qualified health center or a Native Hawaiian health care system. **Page S8424**

A unanimous-consent agreement was reached providing that at 10 a.m., on Wednesday, June 25, 2003, with the approval of both the Majority Leader and the Democratic Leader, Senate proceed to vote on or in relation to an amendment by Senator Grassley or his designee regarding the benchmark, and that no amendment be in order to the amendment prior to the vote. **Page S8478**

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m., on Wednesday, June 25, 2003. **Page S8478**

Messages From the House: **Page S8436**

Measures Referred: **Page S8436**

Measures Read First Time: **Page S8478**

Enrolled Bills Presented: **Page S8437**

Executive Communications: **Pages S8437–38**

Additional Cosponsors: **Pages S8439–41**

Statements on Introduced Bills/Resolutions: **Pages S8441–45**

Additional Statements: **Pages S8435–36**

Amendments Submitted: **Pages S8445–76**

Notices of Hearings/Meetings: **Page S8476**

Authority for Committees to Meet: **Pages S8476–78**

Privilege of the Floor: **Page S8478**

Record Votes: Nine record votes were taken today. (Total—241)

Pages S8395–96, S8402–03, S8404, S8408–09, S8414–15

Adjournment: Senate met at 9:30 a.m., and adjourned at 9:13 p.m., until 9:30 a.m., on Wednesday, June 25, 2003. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S8478.)

Committee Meetings

(Committees not listed did not meet)

SUPPORTING OUR MILITARY FAMILIES

Committee on Health, Education, Labor, and Pensions: Subcommittee on Children and Families concluded joint hearings with the Committee on Armed Services' Subcommittee on Personnel to examine challenges facing military families, focusing on the Reserve component family readiness and support programs, employer support, and reunion and readjustment policies, after receiving testimony from John M. Molino, Deputy Under Secretary for Military Community and Family Policy, Joseph D. Tafoya, Director, Education Activity, Colonel James L. Scott II, Director, Individual and Family Support Policy, Office of the Assistant Secretary for Reserve Affairs (Manpower and Personnel), and M.A. Lucas, Director, Army Child and Youth Services, all of the Department of Defense; Michael J. Petrilli, Associate Deputy Under Secretary of Education for Innovation and Improvement; Shelley M. MacDermid, Purdue University Military Family Research Institute, West Lafayette, Indiana; and Joyce Wessel Raezer, National Military Family Association, Alexandria, Virginia.

RAPID TRANSIT: BUS SERVICE

Committee on Banking, Housing, and Urban Affairs: Committee concluded hearings to examine bus rapid

transit and other bus service innovations, focusing on funding sources, flexible mass transit options, capital and operating costs, after receiving testimony from Jennifer L. Dorn, Administrator, Federal Transit Administration, Department of Transportation; JayEtta Hecker, Director, Physical Infrastructure Issues, General Accounting Office; Kenneth P. Hamm, Lane Transit District, Eugene, Oregon; Gary L. Brosch, University of South Florida National Bus Rapid Transit Institute, Tampa; Oscar Edmundo Diaz, New York University Center for Latin American and Caribbean Studies, New York; and Anne Canby, Surface Transportation Policy Project, Washington, D.C.

UNITED STATES OLYMPIC COMMITTEE

Committee on Commerce, Science, and Transportation: Committee concluded hearings on reform of the United States Olympic Committee, after receiving testimony from Donald Fehr, Major League Baseball Players Association, Dick Ebersol, NBC Sports and Olympics, Harvey W. Schiller, Assante U.S., all of New York, New York, Roberta Cooper Ramo, Modrall Sperling, Albuquerque, New Mexico, and Donna de Varona, Greenwich, Connecticut, all on behalf of the U.S. Olympic Committee Independent Commission; Robert Balk, Long Beach, California, and Rachel Mayer Godino, Needham, Massachusetts, both on behalf of the USOC Athletes' Advisory Council; Robert Marbut, USOC National Governing Bodies' Council, San Antonio, Texas; Jim Scherr, United States Olympic Committee, Colorado Springs, Colorado; and Bill Stapleton, Capital Sports and Entertainment, Austin, Texas.

LABORATORY MANAGEMENT

Committee on Energy and Natural Resources: Committee began hearings on improved understanding of the governance of the Department of Energy laboratories and approaches to optimize the capability of those laboratories to respond to national needs, receiving testimony from John Peoples, Jr., Fermi National Accelerator Laboratory, Batavia, Illinois; Siegfried S. Hecker, Los Alamos National Laboratory, Los Alamos, New Mexico; Martha Krebs, Science Strategies, Los Angeles, California; and Herman Postma, Oak Ridge, Tennessee.

Hearings recessed subject to call.

COLUMBIA RIVER BASIN POWER SYSTEM

Committee on Environment and Public Works: Committee concluded hearings to examine implementation of the National Marine Fisheries Service's 2000 Biological Opinion for listed anadromous fish regarding operation of the Federal Columbia River Basin Power System, after receiving testimony from D. Robert Lohn, Regional Administrator, Northwest

Region, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce; Stephen J. Wright, Administrator, Bonneville Power Administration, Department of Energy; J. William McDonald, Regional Director, Pacific Northwest Region, Bureau of Reclamation, Department of the Interior; Colonel Dale Knieriemen, Deputy Commander, Northwestern Division, U.S. Army Corps of Engineers; Michael L. Bogert, Counsel to Governor of Idaho, Boise; Judi Danielson, Northwest Power Planning Council, and Steven Huffaker, Columbia River Fish and Wildlife Authority, both of Portland, Oregon; Anthony D. Johnson, Nez Perce Tribe, Lapwai, Idaho; and Nancy Murillo, Shoshone-Bannock Tribes, Fort Hall, Idaho.

TECHNOLOGY ISSUES WITH EUROPE

Committee on Foreign Relations: Subcommittee on European Affairs concluded hearings to examine U.S. relations with respect to a changing Europe, focusing on differing views on technology issues, the highly-integrated United States-European Union marketplace, and U.S./EU regulatory coordination, after receiving testimony from Gary Litman, U.S. Chamber of Commerce, Fred Yoder, National Corn Growers Association, Karen Myers, United States Council on International Business, and Jean Halloran, Consumers Union, all of Washington, D.C.; and Harris N. Miller, Information Technology Association of America, Arlington, Virginia.

JUVENILE DIABETES

Committee on Governmental Affairs: Committee concluded hearings to examine issues relative to controlling juvenile diabetes, focusing on the personal toll on families, financial costs to the Federal Health Care System, and research progress toward a cure, and related provisions of S. 518, to increase the supply of pancreatic islet cells for research, to provide better coordination of Federal efforts and information on islet cell transplantation, and to collect the data necessary to move islet cell transplantation from an experimental procedure to a standard therapy, after receiving testimony from Allen M. Spiegel, Director, National Institute of Diabetes and Digestive and Kidney Diseases, National Institutes of Health, Department of Health and Human Services; Bernhard J. Hering, University of Minnesota, Minneapolis; Mary Tyler Moore, New York, New York, on behalf of the Juvenile Diabetes Research Foundation International; Colleen Rea, Stamford, Connecticut; Sophia Cygnarowicz, Columbia, Illinois; Katie Halasz, Wells, Maine; Eric Bonness and Alex Bonness, both of Omaha, Nebraska; LaNiece Evans-Scott, Backlick, Ohio; and Anne Seidel, Dallas, Texas.

BUSINESS MEETING

Committee on the Judiciary: Committee resumed mark-up of S. 1125, to create a fair and efficient system to resolve claims of victims for bodily injury caused by asbestos exposure, but did not complete action thereon, and will meet again on Thursday, June 26.

Committee on Rules and Administration: Committee ordered favorably reported the following business items:

S. 148, to provide for the Secretary of Homeland Security to be included in the line of Presidential succession;

S. Res. 178, to prohibit Members of the Senate and other persons from removing art and historic objects from the Senate wing of the Capitol and Senate office buildings for personal use; and

S. Res. 138, to amend rule XXII of the Standing Rules of the Senate relating to the consideration of nominations requiring the advice and consent of the Senate.

House of Representatives

Chamber Action

Measures Introduced: 26 public bills, H.R. 2569–2594; and; 6 resolutions, H.J. Res. 61; H. Con. Res., 227–229 and H. Res. 294 and 296, were introduced. **Pages H5813–14**

Additional Cosponsors: **Pages H5814–15**

Reports Filed: Reports were filed today as follows:

H. Res. 295, providing for consideration of H.R. 2417, to authorize appropriations for fiscal year 2004 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System (H. Rept. 108-176). **Page H5813**

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Boozman to act as Speaker Pro Tempore for today. **Page H5717**

Recess: The House recessed at 9:11 a.m. and reconvened at 10 a.m. **Page H5718**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Small Business Advocacy Improvement: H.R. 1772, amended, to improve small business advocacy; **Pages H5720–24**

Premier Certified Lenders Program Improvement: H.R. 923, amended, to amend the Small Business Investment Act of 1958 to allow certain premier certified lenders to elect to maintain an alternative loss reserve (agreed to by 2/3 yeas-and-nay vote of 416 yeas to 3 nays, Roll No. 303); **Pages H5724–27, H5742–43**

Veterans Entrepreneurship and Benefits Improvement Act: Debated on June 23, H.R. 1460, amended, to amend title 38, United States Code, to permit the use of education benefits under such title for certain entrepreneurship courses, to permit veterans enrolled in a vocational rehabilitation program under chapter 31 of such title to have self-employment as a vocational goal (agreed to by 2/3 yeas-and-nay vote of 421 yeas with none voting “nay,” Roll No. 304). Agreed to amend the title so as to read: “A bill to amend title 38, United States Code, to improve education and entrepreneurship benefits, housing benefits, and certain other benefits for veterans.”; and **Pages H5743–44**

Homeland Security Technical Corrections: H.R. 1416, amended, to make technical corrections to the Homeland Security Act of 2002 (agreed to by 2/3 yeas-and-nay vote of 415 yeas with none voting “nay,” Roll No. 311). **Pages H5727–33, H5795–96**

Department of Homeland Security Appropriations Act: The House passed H.R. 2555, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2004, by yeas-and-nay vote of 425 yeas to 2 nays, Roll No. 310. **Pages H5734–95**

Agreed To:

Terry amendment that sought to increase funding for first responders by \$20 million with \$10 million for grants to State and local law enforcement for terrorism prevention activities and \$10 million for firefighter assistance grants with offsets of \$20 million from the Transportation Security Administration; **Pages H5761–64**

Hayes amendment that prohibits that any funding to be used in contravention of the applicable provisions of the Buy American Act; and **Page H5776**

Markey amendment that prohibits any funding to be used to approve, renew, or implement any aviation cargo security plan that permits the transporting of unscreened or uninspected cargo on passenger planes (agreed to by recorded vote of 278 ayes to 146 noes, Roll No. 308). **Pages H5776–79, H5790–91**

Rejected:

Filner amendment that sought to increase funding for Secure Electronic Network for Travelers Rapid Inspection (SENTRI) by \$5 million to reduce the backlog of applications for the program with offsets from Departmental Administration Salaries and Expenses funding of \$5 million (rejected by recorded vote of 149 ayes to 274 noes, Roll No. 307); and

Pages H5789–90

Tancredo amendment that sought to prohibit any funding to States or localities that restrict information to the Bureau of Immigration and Customs regarding an individual's citizenship or immigration status as prohibited under section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (rejected by recorded vote of 102 ayes to 322 noes, Roll No. 309). **Pages H5791–95**

Withdrawn:

LoBiondo amendment no. 7 printed in the Congressional Record of June 23 was offered but subsequently withdrawn that sought to increase Coast Guard funding by \$110 million with \$35 million for review of vessel security plans and \$75 million for deep water acquisition with \$110 million offset from the Immigration and Customs enforcement, Transportation security Administration, Citizenship and Immigration Services, and Science and Technology Research, Development, Acquisition, and Operations; **Page H5759**

Maloney amendment no. 2 printed in the Congressional Record of June 23 was offered but subsequently withdrawn that sought to increase funding for discretionary grants for use in high-density urban areas and high threat areas by \$300 million with offsets from Disaster Relief funding; **Pages H5764–66**

Brady amendment was offered but subsequently withdrawn that sought to increase funding for discretionary grants for use in high-density urban areas and high threat areas by \$200 million with offsets from basic formula grants funding; **Pages H5766–76**

Jackson-Lee of Texas amendment was offered, but subsequently withdrawn that sought to simplify and expedite the grant process by allowing a percentage of funding be provided directly to localities and citizen groups without being first allocated to State government agencies; and **Pages H5781–83**

Jackson-Lee of Texas amendment was offered but subsequently withdrawn that sought to provide \$3 million for a grant to the University of Texas Center for Biosecurity. **Pages H5786–89**

Point of Order Sustained Against:

Obey amendment that sought to increase funding for Coast Guard Port Facility Security Grants by \$400 million, vessel threat information analysis by \$100 million; container ship inspection by \$100 million for 1300 inspectors; northern border security by \$200 million; airport perimeter, cargo security and overseas aircraft maintenance security by \$150 million and information analysis and infrastructure protection by \$50 million offset by the tax reduction of taxpayers with adjusted gross incomes of \$1 million by 5.66 percent. (Representative Obey appealed the ruling of the Chair and the Committee then agreed to sustain the ruling by recorded vote of 222 ayes to 200 noes, Roll No. 305); **Pages H5757–59**

Sec. 514, pertaining to fees for credentials or background checks; **Page H5758**

Sec. 521, pertaining to contracts with corporations reincorporated off shore; **Page H5758**

Sec. 522, pertaining to the prohibition of funding for the Computer Assisted Passenger Pre-Screening System (CAPPS2); **Page H5758**

Manzullo amendment no. 1 printed in the Congressional Record of June 23 that sought to prohibit the procurement of manufactured materials unless section 2 of the Buy American Act is applied by substituting "at least 65 percent" for "substantially all". (Representative Filner appealed the ruling of the Chair and the Committee then agreed to sustain the ruling by recorded vote of 385 ayes to 28 noes, Roll No. 306); **Pages H5779–81**

Baldwin amendment no. 6 printed in the Congressional Record that sought to prohibit any funding for Coast Guard vessels in the National Security Cutter class or Offshore Patrol Cutter class unless the main propulsion diesel engines are manufactured in the United States by a domestically operated entity; **Pages H5783–84**

Waters amendment that sought to require a review of the proposed project for construction of a remote passenger check-in facility at Los Angeles International Airport to determine whether the project as designed will protect the safety of air passengers and the general public; and **Pages H5784–85**

Tancredo amendment that sought to prohibit any funding to States or localities that restrict information to the Department of Homeland Security regarding an individual's citizenship or immigration status as prohibited under section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. **Pages H5785–86**

Agreed to H. Res. 293, the rule that providing for consideration of the bill was agreed to by recorded vote of 220 ayes to 197 noes, roll No. 302.

Earlier agreed to order the previous question by yeand-nay vote of 221 yeas to 196 nays, Roll No. 301.

Pages H5741–42

Senate Messages: Message received from the Senate appears on page H5718.

Referrals: S. 239 was referred to the Committee on Energy and Commerce and S. 1157 was referred to the Committees on House Administration and Transportation and Infrastructure. Page H5811

Amendment: Amendments ordered pursuant to the rule appear on pages H5815–17.

Quorum Calls—Votes: Five yeand-nay votes and six recorded votes developed during the proceedings of the House today and appear on pages H5741–42, H5742, H5742–43, H5743–44, H5758–59, H5781, H5789–90, H5790–91, H5794, H5795, and H5796. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 12 midnight.

Committee Meetings

KC-767 TANKER LEASE INITIATIVE

Committee on Armed Services: Subcommittee on Projection Forces held a hearing on the KC-767 tanker lease initiative. Testimony was heard from the following officials of the Department of the Air Force: Lt. Gen. Michael E. Zettler, USAF, Deputy Chief of Staff, Installations and Logistics, Headquarters, U.S. Air Force; and Maj. Gen. Paul W. Essex, USAF, Director, Plans and Programs, Headquarters Air Mobility Command; and Neil P. Curtin, Director, Defense Capabilities and Management, GAO.

LABOR—MANAGEMENT REPORTING AND DISCLOSURE ACT—UNION DEMOCRACY REFORMS

Committee on Education and the Workforce: Subcommittee on Employer-Employee Relations held a hearing on “Union Democracy Reforms to the Labor-Management Reporting and Disclosure Act: H.R. 992, Union Members’ Right-to-Know Act; H.R. 993, Labor-Management Accountability Act; and H.R. 994, Union Member Information Enforcement Act.” Testimony was heard from Lary Yud, Deputy Director, Office of Labor-Management Standards, Employment Standards Administration, Department of Labor; and public witnesses.

GENERATION OF ELECTRICITY FROM COAL—FUTURE OPTIONS

Committee on Energy and Commerce: Subcommittee on Energy and Air Quality held a hearing on “Future Options for Generation of Electricity from Coal.” Testimony was heard from George Rudins, Deputy

Assistant Secretary, Coal and Power Systems, Department of Energy; and public witnesses.

IMPORTED, COUNTERFEIT, AND UNAPPROVED DRUGS AVALANCHE INTO U.S.

Committee on Energy and Commerce: Subcommittee on Oversight and Investigation held a hearing on “A System Overwhelmed: The Avalanche of Imported, Counterfeit, and Unapproved Drugs into U.S.” Testimony was heard from the following officials of the FDA, Department of Health and Human Services: William K. Hubbard, Associate Commissioner, Policy and Planning; and John Taylor, Associate Commissioner, Regulatory Affairs; Elizabeth Durant, Director, Trade Programs, Bureau of Customs and Border Protection, Department of Homeland Security; and the following officials of the State of Florida: Robert Penezic, Assistant Statewide Prosecutor; Gregg Jones, Pharmaceutical Program Manager, Drugs, Device, and Cosmetic Regulation and Cesar Arias, Drug Inspector Supervisor, both with the Bureau of Statewide Pharmaceutical Services, Department of Health.

FIGHTING IDENTITY THEFT—ROLE OF FAIR CREDIT REPORTING ACT

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing entitled “Fighting Identity Theft—The Role of FCRA.” Testimony was heard from J. Howard Beales III, Director, Bureau of Consumer Protection, FTC; Daniel L. Mihalko, Inspector in Charge, Congressional and Public Affairs, Postal Inspection Service, U.S. Postal Service; Tim Caddigan, Special Agent in Charge, Criminal Investigative Division, U.S. Secret Service, Department of Homeland Security; and public witnesses.

DISTRICT OF COLUMBIA—SCHOOL CHOICE

Committee on Government Reform: Held a hearing on “School Choice in the District of Columbia: Opening Doors for Parents and Students.” Testimony was heard from Representative Boehner; Rod Paige, Secretary of Education; and Anthony Williams, Mayor, District of Columbia.

EMERGING THREATS: ASSESSING NUCLEAR WEAPONS COMPLEX FACILITY SECURITY

Committee on Government Reform: Subcommittee on National Security, Emerging Threats and International Relations held a hearing on “Emerging Threats: Assessing Nuclear Weapons Complex Facility Security.” Testimony was heard from Robin M. Nazzaro, Director, Natural Resources and Environment, GAO; the following officials of the Department of Energy: Glenn S. Podonsky, Director, Office

of Oversight and Performance Assurance; Linton F. Brooks, Administrator, National Nuclear Security Administration; and Joseph S. Mahaley, Director, Office of Security; and public witnesses.

CYBER SECURITY

Committee on Government Reform: Subcommittee on Technology, Information Policy, Intergovernmental Relations and the Census held a hearing on "Cyber Security: The Status of Information Security and the Effects of the Federal Information Security Management Act (FISMA) at Federal Agencies." Testimony was heard from Mark A. Forum, Administrator, Electronic Government and Information Technology, OMB; Robert F. Dacey, Director, Information Security Issues, GAO; Johnnie E. Frazier, Inspector General, Department of Commerce; Robert W. Cobb, Inspector General, NASA; Scott Charbo, Chief Information Officer, USDA; Drew Ladner, Chief Information Officer, Department of the Treasury; and Bruce Morrison, Acting Chief Information Officer, Department of State.

BOOSTING AFRICA'S AGRICULTURAL TRADE

Committee on International Relations: Subcommittee on Africa held a hearing on Boosting Africa's Agricultural Trade. Testimony was heard from public witnesses.

FEDERAL JUDICIARY—ARE ADDITIONAL JUDGES NEEDED?

Committee on the Judiciary: Subcommittee on Courts, the Internet, and Intellectual Property held an oversight hearing on "The Federal Judiciary: Is There a Need for Additional Federal Judges?" Testimony was heard from Dennis Jacobs, Judge, U.S. Court of Appeals, Second Circuit, State of New York; William O. Jenkins, Jr., Director, Homeland Security and Justice Issues, GAO; and a public witness.

OVERSIGHT—DEADLY CONSEQUENCES OF ILLEGAL ALIEN SMUGGLING

Committee on the Judiciary: Subcommittee on Immigration, Border Security, and Claims held an oversight hearing on "The Deadly Consequences of Illegal Alien Smuggling." Testimony was heard from the following officials of the Department of Homeland Security: Jose Garza, Chief Patrol Agent, McAllen Sector, Border Patrol, Bureau of Customs and Border Protection; and Tom Homan, Interim Resident Agent in Charge, San Antonio, Texas, Bureau of Immigration and Customs Enforcement; and public witnesses.

OVERSIGHT—FEDERAL LANDS ABILITY TO MEET ENERGY NEEDS

Committee on Resources: Subcommittee on Energy and Mineral Resources held an oversight hearing on "The Ability of Federal Lands to Meet our Energy Needs." Testimony was heard from Rebecca Watson, Assistant Secretary, Land and Minerals Management, Department of the Interior; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on National Parks, Recreation and Public Lands held a hearing on the following bills: H.R. 1521, Johnstown Flood National Memorial Boundary Adjustment Act of 2003; H.R. 1658, Railroad Right-of-Way Conveyance Validation Act of 2003; and H.R. 2055, to amend Public Law 89-366 to allow for an adjustment in the number of free roaming horses permitted in Cape Lookout National Seashore. Testimony was heard from Representative Pombo, Murtha and Jones of North Carolina; the following officials of the Department of the Interior: Dan Smith, Special Assistant to the Director, National Park Service; and Bob Anderson, Acting Assistant Director, Minerals, Realty and Resource Protection, Bureau of Land Management; and a public witness.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Water and Power held a hearing on the following bills: H.R. 1794, to authorize the Secretary of the Interior to construct and rehabilitate Federal water supply lines associated with Folsom Dam in California; and H.R. 2040, to amend the Irrigation Project Extension Act of 1998 to extend certain contracts between the Bureau of Reclamation and certain irrigation water contractors in the State of Wyoming and Nebraska. Testimony was heard from William Rinne, Deputy Commissioner, Bureau of Reclamation, Department of the Interior; and public witnesses.

INTELLIGENCE AUTHORIZATION ACT

Committee on Rules: Granted, a modified open rule providing one hour of general debate on H.R. 2417, Intelligence Authorization Act for Fiscal Year 2004, equally divided and controlled by the chairman and ranking minority member of the Permanent Select Committee on Intelligence. The rule provides that the bill shall be considered for amendment under the five-minute rule. The rule provides that it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute now printed in the bill, which shall be considered as read. The rule waives all points of order against consideration of the bill, and against the committee amendment in

the nature of a substitute. The rule provides that no amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the Rules Committee report accompanying the resolution, and all points of order against said amendments are waived. The rule provides that each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Goss and Representatives Cox, Harman, Hastings of Florida, Tauscher, Schiff and Turner of Texas.

VETERANS' MEASURES

Committee on Veterans' Affairs: Subcommittee on Health approved for full Committee action, as amended, the following bills: H.R. 116, Veterans' New Fitzsimons Health Care Facilities Act of 2003; H.R. 1720, Veterans Health Care Facilities Capital Improvement Act; H.R. 2357, to amend title 38, United States Code, to establish standards of access to care for veterans seeking health care from the Department of Veterans Affairs; and H.R. 2433, Health Care for Veterans of Project 112/Project SHAD Act of 2003.

TERRORIST FINANCING

Permanent Select Committee on Intelligence: Subcommittee on Terrorism and Homeland Security met in executive session to hold a hearing on Terrorist Financing. Testimony was heard from departmental witnesses.

COMMITTEE MEETINGS FOR WEDNESDAY, JUNE 25, 2003

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education, business meeting to consider proposed legislation making appropriations for the Departments of Labor, Health and Human Services, and Education and related agencies for the fiscal year ending September 30, 2004, 9:30 a.m., SD-124.

Committee on Armed Services: to hold hearings to examine the nomination of Lieutenant General John P. Abizaid, USA, for appointment to the grade of general and to be Commander, United States Central Command, 9:30 a.m., SH-216.

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Economic Policy, to hold oversight hear-

ings to examine certain measures to strengthen the economic situation in rural America, 2 p.m., SD-538.

Committee on Energy and Natural Resources: business meeting to consider pending calendar business, 10 a.m., SD-366.

Subcommittee on Public Lands and Forests, to hold oversight hearings to examine grazing programs of the Bureau of Land Management and the Forest Service, focusing on grazing permit renewal, BLM's potential changes to grazing regulations, range monitoring, drought, and other grazing issues, 2:30 p.m., SD-366.

Committee on Environment and Public Works: Subcommittee on Fisheries, Wildlife, and Water, to hold oversight hearings to examine the consulting process required by Section 7 of the Endangered Species Act, 9:30 a.m., SD-406.

Committee on Foreign Relations: to hold hearings to examine the implementation of the African Growth and Opportunity Act (P.L. 106-200), 9:30 a.m., SD-419.

Subcommittee on Near Eastern and South Asian Affairs, with the Committee on the Judiciary, Subcommittee on Constitution, Civil Rights and Property Rights, to hold joint hearings to examine constitutionalism, human rights, and the Rule of Law in Iraq, 2 p.m., SD-226.

Subcommittee on European Affairs, to hold hearings to examine the progress and challenges to the successor states to Pre-1991 Yugoslavia, 2:30 p.m., SD-419.

Committee on Governmental Affairs: to hold hearings to examine the nomination of Joshua B. Bolten, of the District of Columbia, to be Director of the Office of Management and Budget, 9:30 a.m., SD-342.

Committee on Health, Education, Labor, and Pensions: business meeting to consider S. 1248, to reauthorize the Individuals with Disabilities Education Act, and the nominations of David Hall, of Massachusetts, to be a Member of the Board of Directors of the Legal Services Corporation, Lillian R. BeVier, of Virginia, to be a Member of the Board of Directors of the Legal Services Corporation, and certain nominations in the Public Health Service, 10 a.m., SD-106.

Committee on the Judiciary: to hold oversight hearings to examine the Department of Justice Inspector General's Report on the 9/11 detainees, 10 a.m., SD-226.

Subcommittee on Constitution, Civil Rights and Property Rights, with the Committee on Foreign Relations, Subcommittee on Near Eastern and South Asian Affairs, to hold joint hearings to examine constitutionalism, human rights, and the Rule of Law in Iraq, 2 p.m., SD-226.

Full Committee, to hold hearings to examine the nominations of Louise W. Flanagan, to be United States District Judge for the Eastern District of North Carolina, Allyson K. Duncan, of North Carolina, to be United States Circuit Judge for the Fourth Circuit, Samuel Der-Yeghiayan, to be United States District Judge for the Northern District of Illinois, Lonny R. Suko, to be United States District Judge for the Eastern District of Washington, Earl Leroy Yeakel III, to be United States District Judge

for the Western District of Texas, and Karen P. Tandy, of Virginia, to be Administrator of Drug Enforcement, and Christopher A. Wray, of Georgia, to be an Assistant Attorney General, both of the Department of Justice, and Robert C. Brack, to be United States District Judge for the District of New Mexico, 2 p.m., SD-215.

House

Committee on Agriculture, hearing to review the USDA Distance Learning and Telemedicine Program, 10 a.m., 1300 Longworth.

Committee on Appropriations, to consider the following appropriation for fiscal year 2004: Labor, Health and Human Services, Education and Related Agencies; Interior; and Agriculture, Rural Development, Food and Drug Administration and Related Agencies, 10 a.m., 2359 Rayburn.

Committee on Financial Services, Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises, hearing entitled "GSE Oversight: The Need for Reform and Modernization," 10 a.m., 2128 Rayburn.

Subcommittee on Oversight and Investigations, hearing entitled "Saving Taxpayer Money Through Sound Financial Management," 2 p.m., 2128 Rayburn.

Committee on Government Reform, Subcommittee on Government Efficiency and Financial Management, oversight hearing on "Winning the War on Financial Management—Status of the Department of Defense Reform," 2:30 p.m., 2154 Rayburn.

Subcommittee on Human Rights and Wellness, oversight hearing on "The Practical and Economical Aspects of Canadian Drug Importation," 2 p.m., 2247 Rayburn.

Committee on International Relations, Subcommittee on Asia and the Pacific, hearing on U.S. Trade Policy and Commercial Policy in Southeast Asia and Oceania, 10:15 a.m., 2172 Rayburn.

Subcommittee on International Terrorism, Non-proliferation and Human Rights, hearing on "Global

Trends in Trafficking and the Trafficking in Persons Report," 2:30 p.m., 2200 Rayburn.

Subcommittee on Middle East and Central Asia, hearing on Enforcement of the Iran-Libya Sanctions Act and Increasing Security Threats from Iran (Part 1), 1:30 p.m., 2172 Rayburn.

Committee on Small Business, hearing on the Effect of Foreign Currency Manipulation on Small Manufacturers and Exporters, 2 p.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, to mark up the following: H.R. 1572, to designate the historic Federal District Court Building located at 100 North Palafox Street in Pensacola, Florida, as the "Winston E. Arnow Federal Building;" H.R. 1668, to designate the United States courthouse located at 101 North Fifth Street in Muskogee, Oklahoma, as the "Ed Edmondson United States Courthouse," H.R. 2144, Aviation Security Technical Corrections and Improvements Act of 2003; H.R. 2443, Coast Guard and Maritime Transportation Act of 2003; H.R. 2535, Economic Development Administration Reauthorization Act of 2003; the Amtrak Reauthorization Act of 2003; the Rail Infrastructure Development and Expansion Act for the 21st Century; the Water Resources Development Act; and other pending business, 11 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Benefits, to mark up the following bills: H.R. 1516, to direct the Secretary of Veterans Affairs to establish a national cemetery for veterans in southeastern Pennsylvania; and H.R. 2297, to amend title 38, United States Code, to modify and improve certain benefits for veterans, 10 a.m., 334 Cannon.

Select Committee on Homeland Security, hearing entitled "Assessment of DHS Initiatives to Secure America's Borders," 2 p.m., 2318 Rayburn.

Subcommittee on Cybersecurity, Science, and Research and Development, hearing entitled "Overview of the Cyber Problem: A Nation Dependent and Dealing with Risk," 11:30 a.m., 2318 Rayburn.

Next Meeting of the SENATE

9:30 a.m., Wednesday, June 25

Senate Chamber

Program for Wednesday: Senate will continue consideration of S. 1, to amend title XVIII of the Social Security Act to make improvements in the medicare program, to provide prescription drug coverage under the medicare program.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, June 25

House Chamber

Program for Wednesday: Consideration of Suspensions:

(1) S. 858, Abraham Lincoln Bicentennial Commission Extension;

(2) H.R. 2474, Use of Congressional Hunger Center to Administer the Bill Emerson and Mickey Leland Hunger Fellowships;

(3) H.J. Res. 49, Recognizing the 50th anniversary of the Foreign Agricultural Service;

(4) H.R. 1511, Awarding the Congressional Gold Medal to Prime Minister;

(5) H. Res. 277, Expressing Support for Freedom in Hong Kong;

(6) H. Con. Res. 49, Expressing Profound Concern Regarding the Escalation of anti-Semitic Violence Within States of the Organization for Security and Cooperation in Europe (OSCE);

(7) H. Res. 294, Condemning the terrorism inflicted on Israel since the Aqaba summit and calling on the Palestinian Authority to take immediate to dismantle the terrorist infrastructure on the West Bank and Gaza; and

(8) H. Res. 199, Calling on the Government of the People's Republic of China to Release Dr. Yang Jianli; and

Consideration of H.R. 2417, Intelligence Authorization Act for FY 2004 (modified open rule, one hour of debate).

Extensions of Remarks, as inserted in this issue.

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